

LIQUOR COMMISSION
CITY AND COUNTY OF HONOLULU
PACIFIC PARK PLAZA
711 KAPIOLANI BOULEVARD, SUITE 600
HONOLULU, HAWAII 96813

AGENDA – SECOND MEETING

THURSDAY, JULY 8 , 2021
4:00 P.M.

PUBLIC PARTICIPATION AND TESTIMONY

Pursuant to the Twenty-First Proclamation issued by Governor David Ige on June 7, 2021, relating to the COVID-19 pandemic (Proclamation), in order to allow public participation in a manner consistent with social distancing practices the following procedures are in effect for the meeting. *The procedures have been modified to comply with Mayor Blangiardi's Emergency Order No. 2021-08, effective June 10, 2021 (Emergency Order). In accordance with concern for public health and safety, in-person testimony in the hearings room has been cancelled until further notice. Please see the instructions below on how to submit oral testimony on any scheduled matter or how to make your appearance on a scheduled matter.*

VIEWING THE MEETING AND RESTRICTIONS ON ENTRY

No members of the public will be allowed into the hearings room, but may listen to the meeting on a live broadcast. The meeting may be heard by internet live streaming through <https://zoom.us/j/92135892052>; by dialing 1-408-638-0968, entering the meeting ID#: 921 3589 2052#; or, the preferred method, via the Liquor Commission website event calendar at <http://www.honolulu.gov/liq/event-calendar/>. You may pre-register to attend this meeting.

To provide the public with the best opportunity to observe the meeting, it is required to “mute” your device’s microphone to prevent technological difficulties.

All persons who are required to appear for the meeting must make your appearance by joining the meeting on the Zoom platform as described above. Please be aware that joining the meeting will involve entering the meeting number and completing a registration process so please allow sufficient time for this task. For testifiers or required attendees who are not able to access the Zoom platform, you may attend in person in Suite 600. While in Suite 600, all Social Distancing Requirements set forth in the Proclamation and the Emergency Order must be strictly observed.

Within forty (40) days after the meeting, the minutes will be posted to the Liquor Commission website at <http://www.honolulu.gov/liq/event-calendar/> for viewing. The minutes of prior meetings may also be viewed at said website.

ORAL TESTIMONY

Oral testimony will be permitted on all matters before the Commission subject to the following restrictions:

1. *All oral testimony must be submitted remotely through the Zoom platform.*
2. Each speaker is limited to a three-minute presentation.

WRITTEN TESTIMONY

Written testimony is strongly encouraged and may be submitted to the Administrator of the Commission three (3) working days prior to the date of the meeting as follows: FAX (808) 768-7311 or E-MAIL liquor@honolulu.gov. Written testimony will not be accepted in person at the meeting.

MATERIALS AVAILABLE FOR INSPECTION

Meeting materials ("board packet") will be available for viewing electronically, as soon as practicable, at the Liquor Commission website (<http://www.honolulu.gov/liq/event-calendar/>).

APPROVAL OF MINUTES:

The regular and executive session minutes of the 42nd (5/6/21) and 43rd (5/13/21) meetings, as previously circulated, to be approved by the Commission.

PUBLIC HEARINGS:

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| 1. Appl. No. 21-22550 from Azu Corporation, dba I-Naba Hanalei`i Honolulu, 1726 South King Street, #2A | For a Restaurant General license (Category No. 2 - Live entertainment or Recorded Music and Dancing) (Prelim. Hrg. 5/13/21) |
| 2. Appl. No. 21-22908 from Saiminsays LLC, dba Papa Kurt's, 925 Isenberg Street | For a Restaurant Beer and Wine license (Category No. 1 – Standard Bar) (Prelim. Hrg. 5/13/21) |
| 3. Appl. No. 21-22921 from Peking Duck Express Inc., dba Shangri-La Restaurant & Bar, 91-5431 Kapolei Parkway, Suite #1103, Kapolei (Ka Makana Alii) | For a Restaurant General license (Category No. 2 - Live entertainment or Recorded Music and Dancing) (Prelim. Hrg. 5/13/21) |

PRELIMINARY HEARING:

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| 4. Appl. No. 21-22862 from TM Restaurants, LLC, dba Sugarcane Kapolei, 91-5431 Kapolei Parkway, Suite D-138, Kapolei (Ka Makana Ali'i Mall) | For a Restaurant General license (Category No. 2 – Live Entertainment or Recorded Music and Dancing) |
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LICENSE APPLICATIONS:

Temporary License Applications:

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| 5. Appl. No. 21-23309 from Xtreme Kapahulu Partners LLC, dba Xtreme Mini Mart | For a [Stand-Alone] Temporary Retail General license at 465 Kapahulu Avenue, #107, the former site of Kapahulu Stop & Shop (D0765) |
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LICENSE APPLICATIONS: (CONT.)

Temporary License Applications: (Cont.)

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| 6. | Appl. No. 21-23401 from
MIBB #2 LLC, dba Moani
Waikiki | For a [Stand-Alone] Temporary
Restaurant General license
(Category No. 2 – Live
Entertainment or Recorded Music
and Dancing),
2330 Kalakaua Avenue, #312, the
former site of Kona Grill (R1182) |
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REQUESTS:

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| 7. | Request No. 21-23174
from Safeway Inc., dba
Safeway Stores No. 215,
Retail General,
377 Keahole Street
(D0357) | Requesting approval to permanently
increase its licensed premises by
approximately 7,746 square feet and
to make alterations |
| 8. | Request No. 21-23386
from KUY Restaurants
Limited Liability Company,
dba MW Restaurant,
[Stand-Alone] Temporary
Restaurant General
license (Category No. 2 –
Live Entertainment or
Recorded Music and
Dancing), 888 Kapiolani
Boulevard, Space 201
(T0271) | Requesting approval to temporarily
increase its licensed premises from
3:00 p.m. to 11:00 p.m. on the
following days: (total of 4 days)

1) Saturday, July 17, 2021;
2) Saturday, July 24, 2021;
3) Saturday, July 31, 2021; and
4) Sunday, August 1, 2021

(To allow for social distancing for
seating at private functions) |
| 9. | Request No. 22-23463
from 69 Enterprises LLC,
dba Smith and Kings –
Restaurant & Bar,
Restaurant General
license (Category No. 2 –
Live Entertainment or
Recorded Music and
Dancing), 69 North King
Street (R0992) | Requesting approval to file its Liquor
License Renewal Application for
fiscal year 2021-2022 after the
June 30, 2021 deadline, pursuant to
Rule 3-82-31.4(b) |

REQUESTS: (CONT.)

10. Request No. 22-23470 from Lupo Waikiki, LLC, dba Il Lupino, Restaurant General license (Category No. 2 - Live entertainment or Recorded Music and Dancing), 2233 Kalakaua Avenue, Space B108A (R0936)

Requesting approval to file its Liquor License Renewal Application for fiscal year 2021-2022 after the June 30, 2021 deadline, pursuant to Rule 3-82-31.4(b)

ADJUDICATION HEARINGS:

11. New Business (nka Club Business) (LCV 19-0224) (E0326)

- (1) Licensee permitted a person on the licensed premises to perform acts of or acts which simulate sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation or any sexual acts which are prohibited by law (Violation of Rule 3-84-78.04(a)) (Date of violation: On or about June 8, 2019)
- (2) Licensee failed to have the interior and exterior of the licensed premises well and properly lighted (Violation of Rule 3-84-72.2) (Date of violation: On or about June 8, 2019)
- (3) Licensee failed to have a time card or other adequate record showing in English the month, day, year, and time, indicating a.m. or p.m. and the legal first name and surname of each of its employees when these employees were on duty (Violation of Rule 3-82-38.4(a)) (Date of violation: On or about June 8, 2019)

(Continued from June 3, 2021)

[History: 8/6/20, 6/3/21]

ADJUDICATION HEARINGS: (CONT.)

12. New Business
(nka Club Business)
(LCV 19-0249)
(E0326)

Licensee made physical alterations within its licensed premises without the prior written approval of the Commission (Violation of Rule 3-83-62(a)) (Date of violation: On or about July 11, 2019)

(Continued from June 3, 2021)

13. Club Business
(LCV 20-0013)
(E0326)

Licensee's employee was seated with a customer but was not a registered hostess or manager on duty of the licensed premises (Violation of Rule 3-84-78.01(d)) (Date of violation: On or about January 5, 2020)

(Continued from June 3, 2021)

14. Club Business
(LCV 21-0125)
(E0326)

Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2021-02 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about February 27, 2021)

(Continued from June 3, 2021)

ADJUDICATION HEARINGS: (CONT.)

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| 15. | Hanks Café Honolulu
(LCV 19-0221)
(E1328) | | Licensee permitted liquor of any kind, while in bottle, glass or other container, to be open and readily consumable within the licensed premises before or after the hours established by the Commission (Violation of Rule 3-82-38.20(b)) (Date of violation: On or about June 14, 2019) |
| 16. | Hanks Café Honolulu
(LCV 21-0175)
(E1328) | (1) | Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2021-04 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about April 8, 2021) |
| | | (2) | Licensee's employee consumed liquor while on duty on the licensed premises (Violation of Rule 3-84-78.01(b)) (Date of violation: On or about April 8, 2021) |
| | | (3) | Licensee had some form of music, dancing, and/or entertainment, including but not limited to electronic gaming devices, card playing and table games on the licensed premises, without prior authorization or approval from the Commission (Violation of Rule 3-82-47.1(a)) (Date of violation: On or about April 8, 2021) |

ADJUDICATION HEARINGS: (CONT.)

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| Hanks Café Honolulu
(LCV 21-0175)
(E1328) | (4) Licensee failed to have a time card or other adequate record showing in English the month, day, year, and time, indicating a.m. or p.m. and the legal first name and surname of its employee when that employee was on duty (Violation of Rule 3-82-38.4(a)) (Date of violation: On or about April 8, 2021)

(5) Licensee employed a person in that section of the licensed premises where liquor is sold, served or consumed without said employee being properly registered with the Commission (Violation of Rule 3-82-38.5(a)) (Date of violation: On or about April 8, 2021)

(6) Licensee failed to have a duly registered manager in active charge of the licensed premises during the time the establishment is open for business and licensed to sell or serve liquor (Violation of Rule 3-82-38.9(a)) (Date of violation: On or about April 8, 2021) |
| 17. Harbor Pub Inc.
(LCV 19-0251)
(E1523) | (1) Licensee failed to have the street and/or primary entrances to the licensed premises unlocked during the time customers were on the premises (Violation of Rule 3-84-72.2) (Date of violation: On or about July 28, 2019) |

ADJUDICATION HEARINGS: (CONT.)

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| Harbor Pub Inc.
(LCV 19-0251)
(E1523) | (2) | Licensee failed to have a time card or other adequate record showing in English the month, day, year, and time, indicating a.m. or p.m. and the legal first name and surname of its employee when that employee was on duty (Violation of Rule 3-82-38.4(a)) (Date of violation: On or about July 28, 2019) |
| 18. Harbor Pub Inc.
(LCV 21-0160)
(E1523) | | Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2021-04 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about April 9, 2021) |
| 19. Hibiscus Club
(LCV 20-0259)
(E1538) | | Licensee failed to accurately report its revenues from gross liquor sales or to properly complete the gross liquor sales report (Violation of Rule 3-81-17.56) (Date of violation: On or during the fiscal year ending June 30, 2019) |
| | | (Continued from April 22, 2021) |
| | | [History: 3/25/21, 4/22/21] |

ADJUDICATION HEARINGS: (CONT.)

20. Hibiscus Club
(LCV 20-0299)
(E1538)

- (1) Licensee failed to comply with any other laws applicable to the business of Licensee, whether in existence at the time of issue of such license or enacted or amended from time to time thereafter, to wit, violating the terms of the Office of the Mayor of the City and County of Honolulu Emergency Order No. 2020-30 (COVID-19 [Novel Coronavirus]) (Violation of Section 281-38, HRS) (Date of violation: On or about December 3, 2020)
- (2) Licensee allowed the obstruction, hampering, or interfering with investigations or Commission operations in any way (Violation of Rule 3-84-79.1) (Date of violation: On or about December 3, 2020)
- (3) Licensee failed to have the street and/or primary entrances to the licensed premises unlocked during the time customers were on the premises (Violation of Rule 3-84-72.2) (Date of violation: On or about December 3, 2020)
- (4) Licensee failed to have a duly registered manager in active charge of the licensed premises during the time the establishment is open for business and licensed to sell or serve liquor (Violation of Rule 3-82-38.9(a)) (Date of violation: On or about December 3, 2020)

ADJUDICATION HEARINGS: (CONT.)

- (5) Licensee employed a person in that section of the licensed premises where liquor is sold, served or consumed without said employee being properly registered with the Commission (Violation of Rule 3-82-38.5(a)) (Date of violation: On or about December 3, 2020)

(Continued from April 22, 2021)

[History: 3/25/21, 4/22/21]

OTHER BUSINESS:

21. Liquor Administrator

Administrative matters – Weekly report to the Commission, 90-day event schedule and work plan coordination

If you require special assistance, auxiliary aid and/or service to participate in this meeting (i.e., sign language interpreter; interpreter for language other than English, or wheelchair accessibility), please email your detailed request to liquor@honolulu.gov, at least five (5) business days prior to the meeting.